

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT

I, Special Agent Joseph Shapiro, having been sworn, state:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent employed by the United States Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”), Homeland Security Investigations (“HSI”). I am currently assigned to the Organized Crime Drug Enforcement Task Force (“OCDETF”) Strike Force at HSI Boston. Prior to being assigned as a Special Agent with HSI Boston, I was assigned as a Special Agent with HSI Newark, New Jersey, from in or around March 2019 until in or around November 2023. My last assignment with HSI Newark was in the Violent Crime and Gang Group conducting investigations into local and international violent criminal organizations. Prior to being employed as a Special Agent with HSI, I was employed as a Special Agent with the United States Secret Service (“USSS”) from in or around July 2016 until in or around March 2019. I also previously served in the United States Coast Guard (“USCG”) from 2006 to 2014, serving as a Maritime Enforcement Specialist trained to enforce federal laws pertaining to migrant and drug interdiction. I have training and experience in conducting criminal investigations for violations of federal and state laws including, but not limited to, alien smuggling, document/benefit fraud, narcotics smuggling, child exploitation, weapons trafficking, complex financial crimes, and organized criminal activity.

2. All dates, time and amounts set forth in this affidavit are approximate. Because this affidavit is being submitted for the limited purpose of securing the requested criminal complaint, I have not included every fact known to me concerning this investigation.

I. PURPOSE OF AFFIDAVIT

3. I make this affidavit in support of an application for criminal complaint charging TOMY SANCHEZ (dob: xx/xx/1989) with possession with intent to distribute controlled

substances, in violation of 21 U.S.C. § 841(a)(1), in relation to an April 12, 2023, arrest in Beverly, MA, where an amount of fentanyl was recovered from a vehicle that SANCHEZ was operating. The facts set forth in this affidavit are derived from a Beverly Police Department report, including Report #487297, and a further investigation by Massachusetts State Police and HSI.

II. PROBABLE CAUSE

4. On April 12, 2023, an officer from Beverly Police conducted a traffic stop of a black Toyota. The officer approached the vehicle and identified the operator as TOMY SANCHEZ. SANCHEZ was the lone occupant of the vehicle. SANCHEZ informed the officer that the vehicle was a rental. SANCHEZ was unable to provide the officer with his driver's license, but was unable to produce the registration for the vehicle. A query of SANCHEZ's license revealed that it was suspended and that SANCHEZ had an active arrest warrant from Lynn District Court.

5. Once another officer arrived on scene, SANCHEZ was asked to step out of the vehicle and was placed under arrest. As SANCHEZ exited the vehicle, an officer observed a clear bag that contained individual corner twists consistent with controlled substances in the driver's door storage compartment. SANCHEZ was then transported to the Beverly Police Department for booking. During booking, SANCHEZ was searched and determined to have a green rubber glove in his waistband. This rubber glove was searched and found to contain additional controlled substances. The vehicle was subsequently towed and searched.

6. In total the following controlled substances were located during the arrest and search of the vehicle.

- a. Eight large corner twists of fentanyl located in the driver's map pocket. These items were sent to the Massachusetts State Police Crime Lab (MSPCL) where a analysis determined that they contained fentanyl and weighed 38.77 grams.

- b. Sixteen corner twists of fentanyl located in a green latex glove found on the Defendant's person during booking. These items were sent to the MSPCL, where a analysis determined that they contained fentanyl and weighed 18.28 grams.
- c. Eleven corner twists of cocaine found on the Defendant's person during booking. These items were sent to the MSPCL, where an analysis determined that one of the bags contained cocaine and all of the bags weighed 17.43 grams, including packaging.

7. Based on my training and experience, I believe that the quantities and the nature of the packaging are consistent with SANCHEZ intending to distribute these controlled substances.

III. CONCLUSION

8. Based on the foregoing, there is probable cause to believe that on April 11, 2023, TOMY SANCHEZ possessed controlled substances, specifically fentanyl and cocaine, with the intent to distribute them, in violation of 21 U.S.C. § 841(a)(1).

Attested to under the penalties of perjury by telephone in accordance with Federal Rule of Criminal Procedure 4.1 on October _____, 2024.

/s/ Joseph Shapiro

Special Agent Joseph Shapiro
Homeland Security Investigations

Attested to by telephone in accordance with Federal Rule of Criminal Procedure 4.1 on
October 10, 2024.



Page Kelley
Hon. M. Page Kelley
United States Magistrate Judge